

Attorney Docket No. 63351.000013  
Customer No. 27682

## DECLARATION FOR PATENT APPLICATION AND POWER OF ATTORNEY

As the below named owner of record specified in the Assignment Document as filed and recorded in parent U.S. Patent Application No. 10/112,625 on September 23, 2002 on Reel/Frame 013301/0688, it is declared that:

William G. Dennis is the owner of the subject matter which is claimed in the attached patent application entitled **SURGICAL INSTRUMENT SEAL ASSEMBLY**, which is a continuation of U.S. Application No. 10/112,625 filed March 28, 2002, which is a continuation of U.S. Application Serial No. 09/885,856, filed June 20, 2001, which is a continuation of U.S. Application Serial No. 09/434,608 filed November 5, 1999, now U.S. Patent No. 6,258,065, which claims the benefit of Provisional Application No. 60/126,356 filed on March 26, 1999.

I hereby state that I have reviewed and understand the contents of the above identified application, including the claims, as amended by any amendment referred to in this declaration.

I acknowledge the duty to disclose all information known to us to be material to the patentability of this application, as defined in 37 C.F.R. §1.56(a).

I acknowledge the duty to disclose to the Office all information known to us to be material to patentability as defined in § 1.56(a), which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

### Prior Foreign Application(s)

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application(s) for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Country	Application Number	Date of Filing (day, month, year)	Date of Issue (day, month, year)	Priority Claimed Under 35 U.S.C. 119
				Yes <input type="checkbox"/> No <input type="checkbox"/>
				Yes <input type="checkbox"/> No <input type="checkbox"/>

### Prior United States Provisional Application(s)

I hereby claim the benefit under Title 35, United States Code, § 119(e) of any United States provisional application(s) listed below

Application Serial Number	Date of Filing (day, month, year)
60/126,356	26, March, 1999

### Prior United States Application(s)

I hereby claim the benefit under Title 35, United States Code, §§ 120 and 365 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Application Serial Number	Date of Filing (day, month, year)	Status - Patented, Pending, Abandoned
10/112,625	28, March, 2002	Pending
09/885,856	20, June, 2001	Pending
09/434,608	5, November, 1999	Patented

And we hereby appoint, both jointly and severally, as our attorneys with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected herewith the following attorneys, their registration numbers being listed after their names:

Stanislaus Aksman, Reg. No. 28,562; Jennifer A. Albert, Reg. No. 32,012; Thomas E. Anderson, Reg. No. 37,063; David E. Baker, Reg. No. 42,285; Carl L. Benson, Reg. No. 38,378; Thomas D. Bradshaw, Reg. No. 51,492; Brian M. Buroker, Reg. No. 39,125; Christopher C. Campbell, Reg. No. 37,291; Katherine S. Chang, Reg. No. 40,544; Trevor Q. Coddington, Reg. No. 46,633; Christopher J. Cuneo, Reg. No. 42,450; Ryan S. Davidson, Reg. No. 51,596; Patrick A. Doody, Reg. No. 35,022; Kevin T. Duncan, Reg. No. 41,495; Ozzie A. Farres, Reg. No. 43,606; Nancy J. Flint, Reg. No. 46,704; Christopher J. Forstner, Reg. No. 46,049; Charles F. Hollis, III, Reg. No. 40,650; Nancy J. Jensen, Reg. No. 45,913; Betsy L. Johnson, Reg. No. 55,305; Laba Karki, Reg. No. 55,317; David A. Kelly, Reg. No. 53,106; Herbert V. Kerner, Reg. No. 42,721; Robert C. Lampe, III, Reg. No. 51,914; Jeffrey S. Leaning, Reg. No. 51,184; Shawn K. Leppo, Reg. No. 50,311; Ryan S. Loveless, Reg. No. 51,970; Tyler Maddry, Reg. No. 40,074; J. Michael Martinez de Andino, Reg. No. 37,178; David H. Milligan, Reg. No. 42,893; James R. Miner, Reg. No. 40,444; Bryan F. Moore, Reg. No. 52,044; Jeffrey T. Perez, Reg. No. 52,110; Michael P.F. Phelps, Reg. No. 48,654; John P. Pinkerton, Reg. No. 28,746; Laurence H. Posorske, Reg. No. 34,698; Andrew J. Ririe, Reg. No. 45,597; Stephen T. Schreiner, Reg. No. 43,097; Robert M. Schulman, Reg. No. 31,196; Thomas J. Scott, Jr., Reg. No. 27,836; Yisun Song, Reg. No. 44,487; Shelley L. Spalding, Reg. No. 51,971; Rodger L. Tate, Reg. No. 27,399; Samson Vermont, Reg. No. 42,202; Robert J. Ward, Reg. No. 28,746; and Scott F. Yarnell, Reg. No. 45,245, all of Hunton & Williams; and

All correspondence and telephone communications should be addressed to J. Michael Martinez de Andino, Hunton & Williams, Riverfront Plaza, East Tower, 951 East Byrd Street, Richmond, VA 23219-4074, telephone number (804) 788-8200.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature \_\_\_\_\_ Date: \_\_\_\_\_  
William G. Dennis  
Assignee and Owner

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**DECLARATION AND POWER OF ATTORNEY  
FOR A PATENT APPLICATION**

**COPY**

As below named inventors, we hereby declare that:

Our residences, post office addresses and citizenship are as stated below next to our names.

We believe that we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

**SURGICAL INSTRUMENT SEAL ASSEMBLY**

the specification of which is attached hereto.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment specifically referred to above.

We acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

We hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below:

60/126,356

March 26, 1999

We hereby state that we do not know and do not believe that the invention was ever known or used in the United States of America before our invention thereof; that to the best of our knowledge and belief the invention has not been in public use or on sale in the United States of America more than one year prior to this application or patented or described in any printed publication in any country before our invention thereof or more than one year prior to this

application, or patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by us or our legal representatives or assigns more than twelve months prior to this application; and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by us or our legal representatives or assigns.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint J. Michael Martinez, Reg. No. 37,178, a member of the bars of the States of Virginia, Missouri and Kansas; Mark A. Taylor, Reg. No. 35,706, member of the bar of North Carolina and Virginia; Philip D. Lane, Reg. No. 41,140, member of the bar of Virginia; David E. Baker, Reg. No. 42,285, member of the bar of Virginia, James R. Miner, Reg. No. 40,444, member of the bar of the District of Columbia and Virginia, all of the firm of McGuire, Woods, Battle & Boothe, LLP having a postal address is 901 East Cary Street, Richmond, Virginia 23231, telephone (804) 775-1000 to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent Office connected therewith.

Please send all correspondence to:

J. Michael Martinez de Andino, Esq.  
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